

its price, before making an informed decision about whether to buy that product;

(5) providing consumers with basic price information may result in the selection of lesser cost alternatives, all else being equal relative to the patient's care, and is integral to providing adequate competition in the market;

(6) the WAC is a factual, objective, and uncontroversial definition for the list price of a medication, in that it is defined in statute, reflects an understood place in the supply chain, and is at the sole discretion of the manufacturer to set;

(7) there is a governmental interest in ensuring that consumers who seek to purchase pharmaceuticals for purposes of promoting their health and safety understand the objective list price of any pharmaceutical that they are encouraged through advertisements to purchase, which allows consumers to make informed purchasing decisions; and

(8) there is a governmental interest in mitigating wasteful expenditures and promoting the efficient administration of the Medicare program by slowing the growth of Federal spending on prescription drugs.

**SEC. 3. REQUIREMENT THAT DIRECT-TO-CONSUMER ADVERTISEMENTS FOR PRESCRIPTION DRUGS AND BIOLOGICAL PRODUCTS INCLUDE AN APPROPRIATE DISCLOSURE OF PRICING INFORMATION.**

Part A of title XI of the Social Security Act is amended by adding at the end the following new section:

**“SEC. 1150D. REQUIREMENT THAT DIRECT-TO-CONSUMER ADVERTISEMENTS FOR PRESCRIPTION DRUGS AND BIOLOGICAL PRODUCTS INCLUDE AN APPROPRIATE DISCLOSURE OF PRICING INFORMATION.**

“(a) IN GENERAL.—The Secretary shall require that each direct-to-consumer advertisement for a prescription drug or biological product for which payment is available under title XVIII or XIX includes an appropriate disclosure of pricing information with respect to the drug or product.

“(b) APPROPRIATE DISCLOSURE OF PRICING INFORMATION.—For the purposes of subsection (a), an appropriate disclosure of pricing information, with respect to a prescription drug or biological product—

“(1) shall include a disclosure of the wholesale acquisition cost (as defined in section 1847A(c)(6)(B)) for a 30-day supply of (or, if applicable, a typical course of treatment for) such drug or product;

“(2) shall be presented clearly and conspicuously, as appropriate for the medium of the advertisement; and

“(3) may include additional qualitative or quantitative information regarding the price of such drug or product explaining that certain patients may pay a different amount depending on their insurance coverage.

“(c) ENFORCEMENT.—Any person who violates the requirement of this section may be subject to a civil money penalty of not more than \$100,000 for each such violation or to another enforcement mechanism determined by the Secretary. Any civil money penalty shall be imposed and collected in the same manner as civil money penalties under subsection (a) of section 1128A are imposed and collected under that section.

“(d) REGULATIONS.—The Secretary, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall promulgate regulations to carry out this section. Such regulations shall determine the components of the requirement under this section, including the forms of advertising, the manner of disclosure, the appropriate sanctions, and the appropriate disclosure of pricing information.”.

**SUBMITTED RESOLUTIONS**

**SENATE RESOLUTION 284—RECOGNIZING THE 125TH ANNIVERSARY OF THE INDIANA VETERANS' HOME**

Mr. BRAUN (for himself and Mr. YOUNG) submitted the following resolution; which was considered and agreed to:

S. RES. 284

Whereas Indiana has a proud tradition of honoring its veterans and those who serve our country;

Whereas 3 out of 4 Hoosiers of eligible age served in the Civil War;

Whereas 1 out of every 10 Union Army soldiers enlisted from Indiana, and only 1 State, Delaware, provided more soldiers in the Civil War based on per capita population than Indiana;

Whereas the Soldiers and Sailors Monument is located in the center of Indianapolis and the State of Indiana, and when it was dedicated in 1902, the only monument taller in the United States was the Washington Monument;

Whereas, in 1886, at the annual encampment of the Department of Indiana Grand Army of the Republic (“G.A.R.”) held in Indianapolis, Indiana, Department Commander David N. Foster urged the G.A.R. to establish a State soldiers' home in Indiana to care for the disabled Union Veteran Soldiers;

Whereas intensive lobbying by the G.A.R. resulted in the Indiana General Assembly of 1888 resolving to found a home for veterans, and in 1890, work toward the home began;

Whereas a committee was founded to find a suitable location for the home, with a member-at-large and 1 member from each congressional district, including James R. Carnahan (at large), W.H. Tucker, David N. Foster, C.J. Murphy, D.F. Spees, Andrew Fite, H.B. Martin, U.D. Cole, A.O. Marsh, C.M. Travis, W.S. Haggard, D.B. McConnell, Jacob J. Todd, and Jasper E. Lewis;

Whereas, in the summer of 1892, the committee decided to formally recommend 187 wooded acres in Lafayette, Indiana, as the location of the Indiana State Soldiers' Home (also known as the “Indiana Veterans' Home”) (referred to in this preamble as the “Home”);

Whereas the City of Lafayette and the County of Tippecanoe agreed to donate 200 acres of ground and \$5,633 for the Home;

Whereas General Richard P. DeHart, a local veteran and business man, donated a 2,000 foot strip of riverfront property, which is now known as the Tecumseh Trails Park, to the Home;

Whereas the committee, having secured a location, prepared a bill to be presented to the Indiana General Assembly for the establishment and maintenance of the Home;

Whereas, due to lack of time, the bill failed to pass the Indiana Senate, but in 1895, the Indiana General Assembly unanimously passed a bill to create the Home and appropriated \$75,000 for its buildings;

Whereas, on February 23, 1895, Governor Claude Matthews signed the bill, and it became law;

Whereas the Governor appointed 5 men as the first Board of Trustees of the Home to work without compensation other than their actual traveling expenses;

Whereas the Indiana General Assembly appropriated \$61,723.61 to be used in building an old men's home, a chapel, and an addition to the dining room, constructing sewers, furnishing the different buildings, graveling streets, roads, and sidewalks, and purchasing a pump, a dynamo, and a fire apparatus;

Whereas, by 1900, numerous buildings had been erected for the use of the residents of the Home, and the applications for residence at the Home were far greater than its facilities were capable of handling;

Whereas, on October 31, 1900, there were 9 State buildings, 39 county cottages, 5 cottages built by the G.A.R., 1 cottage built by the Woman's Relief Corps of Indiana (“W.R.C.”), 1 cottage each built by the John A. Logan and Marsh B. Taylor W.R.C. of Lafayette, and 1 cottage built by the John A. Logan Circle, Ladies of the Grand Army of the Republic of Lafayette;

Whereas, in addition to these buildings, the Home built a public restaurant, Commandant's home, Surgeon's cottage, and combination carpenter and paint shop;

Whereas, in addition to the sums donated for the buildings, the W.R.C. and Ladies of the G.A.R. throughout the State gave \$1,326.25 to furnish rooms and cottages in the Home;

Whereas, in his written history of Tippecanoe County from 1909, General Richard P. DeHart wrote of the Home, “If one ever doubted that America appreciates and cares for her defenders, a visit to this beauty spot of Indiana will convince them that not only in times of peril and war does she care for her brave soldiery, but that now after forty years have come and gone, she still seeks to show these old and infirm men that she wishes them all the peace and comfort possible to provide for them, at any cost.”;

Whereas peak census was reached in the 1910s when the Home housed over 1,400 residents and another 200 staff members;

Whereas the Home operated as its own little town, complete with a hospital, electric light plant, bakery, fire department, and an assembly hall with a seating capacity for 600 people;

Whereas census in the 1920s had declined to the average number of residents numbering in the 1,000s;

Whereas this state of affairs continued, and, by 1950, it was apparent that the Home needed a major revamping;

Whereas this revamping resulted in the destruction of almost all of the original buildings, and today only 5 structures remain from the earlier years of the Home, including the Commandant's home, the Administration Building, the Lawrie Library, the bus station, and the cemetery chapel;

Whereas 9 acres of the Home's land were listed in National Register of Historic Places in 1974, including 4 original buildings—the Commandant's home, the library, the Administration Building, and the post exchange;

Whereas, in addition, a collection of approximately 165 oil portraits and charcoal drawings of Civil War generals and important political figures, painted by Captain Alexander Lawrie, are housed in the library and add a major cultural dimension to the Home;

Whereas, in 1974, the Home became a licensed healthcare facility;

Whereas, on June 4, 1976, the Home's name was officially changed from the Indiana State Soldiers' Home to the Indiana Veterans' Home, and the title of the chief administrator was changed from Commandant to Superintendent;

Whereas, in 1976, the construction of Ernie Pyle Hall, MacArthur Hall, and Mitchell Hall began and continued until completion in 1982;

Whereas, in 2009, the Commandant's Row buildings were placed under the authority of the Indiana Department of Veterans Affairs and the Home;

Whereas census has declined over the decades as Civil War veterans passed, but the Home has averaged 200 residents annually,

ranging between 120 to 265 residents from the 1970s to the present;

Whereas the Home is operated by the State of Indiana to care for honorably discharged Indiana veterans and their spouses and Gold Star parents;

Whereas there is no wartime service requirement in order to be eligible to apply for admission to the Home, and the Home accepts all periods of service;

Whereas the Home is a full-service care facility, offering a complete array of on-site services for its residents;

Whereas the Home currently boasts a small museum of historical artifacts related to various wars, as well as artifacts from the Home's history;

Whereas the Home provides quality care for veterans, their spouses, and Gold Star parents;

Whereas there are currently 3,000 graves in the Home's cemetery, which serves as the final resting place for its residents and their spouses who chose internment there; and

Whereas the Home has played a vital role in assisting Hoosier Veterans and their families in their time of need: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the Indiana Veterans' Home has been, and continues to be, an example of Hoosiers' dedication to their veterans, especially those who served in the Civil War;

(2) the Indiana Veterans' Home, along with the other State-owned and managed war memorials throughout Indianapolis and Indiana, including the Soldiers and Sailors Monument, highlights Hoosiers' appreciation for the service of its veterans;

(3) the Indiana Veterans' Home continues a strong tradition of providing care to Hoosier veterans at the beautiful property located in Tippecanoe County, Indiana, and offering a historical glimpse into the past with its museum and the notable nearby physical locations; and

(4) the Indiana Veterans' Home should be recognized for its 125 years of care to the veterans of Indiana and their families at this beautiful and historically significant property in the State.

#### SENATE RESOLUTION 285—HONORING THE LIVES AND LEGACIES OF THE "RADIUM GIRLS"

Mr. MENENDEZ (for himself, Mr. BOOKER, Mr. BLUMENTHAL, Mr. MURPHY, Mr. DURBIN, and Ms. DUCKWORTH) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 285

Whereas Marie and Pierre Curie discovered radium in 1898, sparking a craze for radium-infused consumer goods in the early 20th century;

Whereas many entrepreneurs touted radium's supposedly limitless curative properties, even as some scientists began to report serious health hazards associated with the element;

Whereas the "Radium Girls" were teen-aged girls and young women who, starting in 1917, worked in United States factories painting watch dials and airplane instruments using glow-in-the-dark, radium-infused paint;

Whereas the early Radium Girls painted watches and instruments that United States troops relied on during World War I;

Whereas the majority of the Radium Girls worked for corporations located in Orange, New Jersey, Ottawa, Illinois, and Waterbury, Connecticut;

Whereas the Radium Girls primarily came from working-class backgrounds and some were first- and second-generation Americans;

Whereas, in several instances, the radium corporations' leadership knew that the element could be harmful to human health, but they did not inform the Radium Girls of the risks or implement basic safety standards;

Whereas, in many cases, the radium corporations' management encouraged the Radium Girls to keep their paintbrush tips moist and as fine as possible by putting the paint-covered brushes between their lips, a technique known as "lip-pointing";

Whereas, due to lip-pointing, many of the early Radium Girls ingested extremely harmful quantities of radium;

Whereas the Radium Girls breathed in radium-infused dust and touched radium-infused paint, and they often glowed by the end of the workday due to the radioactive paint on their clothes and skin;

Whereas many of the Radium Girls began to experience mysterious health problems, including necrosis (rotting) of the jaw, cancer, anemia, bone fractures, and infertility;

Whereas many of the Radium Girls were eventually plagued by debilitating physical pain and severe disabilities;

Whereas an unknown number of the approximately 4,000 Radium Girls died prematurely or experienced the devastating health effects of radium poisoning;

Whereas some physicians and dentists initially dismissed the Radium Girls' hypothesis that their illnesses were linked to their occupations;

Whereas, in some cases, the radium corporations conspired with members of the medical community to conceal the origins of the Radium Girls' illnesses and smear their reputations;

Whereas a number of the Radium Girls, in different States, fought to secure justice for themselves, their families, and their colleagues by suing the radium corporations;

Whereas the Radium Girls' difficult and prolonged legal battles and often horrific medical conditions drew national attention;

Whereas some of the Radium Girls who challenged the radium corporations were shunned by their communities for harming the reputation of a prominent local employer;

Whereas many of the surviving Radium Girls volunteered to participate in scientific studies on the effects of radium on the human body;

Whereas investigations of the Radium Girls' illnesses led to the creation of the new scientific field of human radiobiology;

Whereas the Federal Government relied on data from the Radium Girls' cases to develop safety standards for radium and other radioactive materials for factory workers, medical personnel, and scientists, including the workers and scientists of the Manhattan Project;

Whereas some of the Radium Girls and their families received either no compensation or only meager compensation related to their harmful exposure to radium and their contributions to science;

Whereas the Radium Girls' highly publicized case was among the first in which the courts held an employer responsible for the safety and health of its workers;

Whereas the Radium Girls' struggle for justice was a turning point in the movement to protect workers' safety and ultimately spurred Congress to enact critical occupational health reforms; and

Whereas many workers in the United States today are still fighting for a safe and equitable workplace: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the Radium Girls and their determination to seek justice in the face of overwhelming obstacles;

(2) recognizes the invaluable contributions of the Radium Girls to developing modern workplace safety laws and standards; and

(3) reaffirms the commitment of the Federal Government to protecting the health and safety of all workers in the United States.

#### SENATE RESOLUTION 286—URGING THE BIDEN ADMINISTRATION TO WORK WITH CONGRESS TO ENSURE THAT THE UNITED STATES MILITARY HAS SUFFICIENT RESOURCES

Mr. SCOTT of Florida (for himself, Mr. WICKER, Mr. CORNYN, Mr. COTTON, and Mr. SULLIVAN) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 286

Whereas the United States faces numerous national security threats from around the world, including from the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic Republic of Korea, and international terrorist and crime networks aided by United States enemies, such as the Republic of Cuba and the Bolivarian Republic of Venezuela;

Whereas the United States is engaged in a new Cold War with the People's Republic of China, which is—

(1) building up its military to defeat the United States;

(2) stealing United States intellectual property and jobs;

(3) harassing neighboring Asian countries and United States allies and partners;

(4) committing genocide against the Uyghurs; and

(5) denying basic rights to the people of Hong Kong;

Whereas the People's Republic of China is focused on world domination through oppression and communist rule;

Whereas, according to prominent research institutions, including the Center for Strategic and International Studies and the Stockholm International Peace Research Institute, the Chinese Communist Party has increased its defense spending more than 700 percent during the last decade, with an additional 6.8 percent increase anticipated in the current fiscal year;

Whereas security and foreign policy experts widely acknowledge that—

(1) the People's Republic of China is not forthcoming or transparent with information related to military spending; and

(2) China's military spending may be considerably higher than its reported figures;

Whereas the National Defense Strategy Commission, in its report, *Providing for the Common Defense: The Assessment and Recommendation of the States*, recommended, in accordance with the testimony of Secretary Mattis and Chairman Dunford in 2017, that "Congress increase the base defense budget at an average rate of three to five percent above inflation through the Future Years Defense Program and perhaps beyond";

Whereas, when considering the inflation crisis he has created, President Biden's proposed defense budget would be insufficient to address—

(1) new and mounting threats to United States national security and to our allies; and

(2) the need for sufficient military support to deter our enemies and maintain the most lethal fighting force in the world;